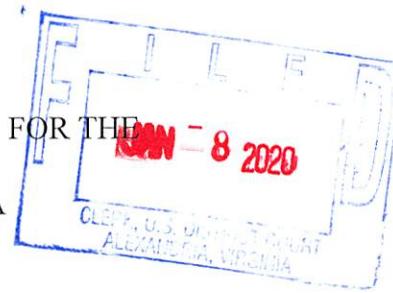


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

JOHN WILLIAM KIRBY KELLEY,
a/k/a "Carl,"
a/k/a "BotGod"

Defendant.

UNDER SEAL

Case No. 1:20-mj-4

AFFIDAVIT IN SUPPORT OF A
CRIMINAL COMPLAINT AND ARREST WARRANT

I, Jonathan Myles Lund, being first duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and currently assigned to the Cyber Crime Squad of the Washington Field Office. I have been employed by the FBI since 2009.

2. In the course of conducting or participating in criminal investigations, I have been involved in interviewing and debriefing witnesses and informants; conducting physical surveillance; tracing and analyzing internet protocol addresses; tracing and analyzing financial transactions; analyzing telephone pen registers; collecting and analyzing evidence; and preparing and executing search warrants. I have received organizational sponsored computer training as well as computer training at the SANS institute. I have also received training in the area of computer security and network administration.

3. This affidavit is submitted in support of a criminal complaint and arrest warrant,

charging JOHN WILLIAM KIRBY KELLEY (“KELLEY”) with conspiracy to commit an offense against the United States; to wit, interstate threats to injure, in violation of Title 18, United States Code, Section 875(c), all in violation of Title 18, United States Code Section 371.

4. The facts in this affidavit are based on my investigation, personal observations, training and experience, as well as communications with others who have personal knowledge of the events and circumstances described herein. Because this affidavit is limited in purpose, I am not including all facts known to law enforcement concerning this investigation.

Definitions

5. The Onion Router, also known as “TOR,” is an open-source publicly available software that enables anonymous activity on the internet. TOR operates on the part of the internet that cannot be accessed using traditional internet browsers such as Google or Bing. This area of the internet is sometimes called the “dark web” or “dark net.” TOR directs traffic through a worldwide network of computers to conceal a user’s true geographic location and online activity. The TOR Network makes it possible for users to operate websites in a manner that conceals the true internet protocol (IP) addresses of the computers that host the websites. TOR identifies these websites as “hidden services.” Like other websites, hidden services are hosted on computer servers that communicate through IP addresses.

6. An Internet Relay Chat (IRC) is similar to an internet chat room in that it allows for both one-on-one and group communication discussion in “forums,” also known as “channels.” An IRC is hosted on a server. Individual participants or “clients” connect to the server in order to transfer communications in the form of text to other clients connected to the server.

7. “Swatting” is a harassment tactic that involves deceiving dispatchers into believing

that a person or persons are in imminent danger of death or bodily harm and causing the dispatchers to send police and emergency services to an unwitting third party's residential address.

8. "Doxxing" is a harassment tactic that involves researching and publishing personally identifiable information (PII) about an individual, such as the person's date of birth, address, telephone number, or other unique identifiers, on the internet. PII can be obtained in a variety of ways, both legal and illegal.

PROBABLE CAUSE

A. Background on the Investigation

9. The investigation of KELLEY began when Old Dominion University Police Department ("ODUPD") received a swatting call from an unknown number on November 29, 2018. ODUPD contacted the FBI for assistance in analyzing the forensic evidence in the case.

10. During the course of this investigation, law enforcement connected this swatting call to ODU with a number of other swatting calls. As I will explain below, there is probable cause to believe the ODU swatting call was perpetrated by individuals conspiring together on two dark web sites. The Deadnet IRC channel, also known by the moniker "#Graveyard, was used by the conspirators to communicate about swatting calls taking place. The conspirators would post internet links to live videos of swatting events. The conspirators also posted past swatting events for entertainment and bragging. The conspirators selected high profile targets including government officials, executives, and journalists. Individuals streaming live videos were also targeted because the conspirators wanted to see how law enforcement responded to the swat calls. The conspirators also appear to share racist views, with particular disdain for African Americans and Jewish people. As I will explain below, the conspirators targeted a predominately African American church in Old

Town Alexandria, Virginia, which is located in the Eastern District of Virginia.

11. The conspirators also maintained a second dark web site known as DoxBin. The site was a repository of the personally identifiable information of potential and past swatting targets. The conspirators indicated that an individual had been swatted by placing a gun next to the name of the person swatted. The DoxBin website primarily targeted government officials, executives, and journalists.

12. The conspirators conducted hundreds of swatting calls across the United States, Canada, and the United Kingdom. The conspirators were able to conceal their true identity by using Voice over Internet Protocol (VoIP). The VoIP calls were made using Google Voice with email accounts kasseybaby99.s@gmail.com, jhulxo1000@gmail.com, and other email addresses. In setting up these accounts, the conspirators used information not readily attributable to the conspirators. Google logged the calls placed by many of the accounts used for swatting calls. The accounts required an email and password to access the accounts, which limited who could use the accounts.

13. Law enforcement have determined that hundreds of swatting calls are related for a number of reasons: (1) the use of email addresses which included the moniker “kasey” and “kayla”; (2) discussions the conspirators had in the IRC chat where they claimed credit for the calls and discussed some of the swatting events in real time; and (3) the controlled access to the Google Voice accounts used to make the calls.

14. Law enforcement have determined that the primary voices on the swatting calls belong to two of the co-conspirators (“Co-Conspirator 1” and “Co-Conspirator 2”). Co-Conspirator 2 also hosted the dark web sites Deadnet IRC and DoxBin, which, as I explained above, conspirators

used to discuss the swatting calls. KELLEY using the moniker “carl” when he participated in a supportive role hosting the #Graveyard IRC channel on the Cleernet before it was moved to the dark web. KELLEY also identified targets to swat and conducted research to determine the targets physical location in order to direct a swat response to the location of the live video feed.

B. Kelley's use of the Moniker “Carl” in the # Graveyard IRC channel and Overt Acts in Furtherance of a Conspiracy to make Threats to Injure

15. During the course of this investigation, past participants of the Deadnet IRC channel have provided chat logs to law enforcement.

16. Based upon a review of the IRC chat logs, I submit there is probable cause to believe that individuals using the moniker “Co-Conspirator 1”¹ and “carl,” among others have conspired to issue numerous threats to injure in the United States, including in the Eastern District of Virginia. Below, I will detail some of the IRC chat logs that provide an overview of the conspiracy and show that KELLEY, who was using the moniker “carl,” conspired with others to issue threats to injure.

17. On or about November 4, 2018, KELLEY participated in the Deadnet IRC channel. In the IRC channel, KELLEY used the moniker “carl.” I know KELLEY used this moniker because KELLEY recorded a video and referred to himself as “carl.” In the video, KELLEY discussed how he came to use the moniker “carl.” KELLEY stored the video on his 500 GB Seagate hard drive, which law enforcement later searched pursuant to a search warrant. Further, one of KELLEY’s conspirators and friends (“Individual 1”) informed law enforcement that KELLEY used the moniker “carl” on the Deadnet IRC. Individual 1 has met KELLEY in person. Individual 1 is cooperating with law enforcement because he is currently charged by state authorities. His charges arise out of

¹ “Co-Conspirator 1” was not the actual moniker; rather, I have changed the moniker in an effort to protect the ongoing investigation.

his role in the swatting conspiracy. Individual 1 is cooperating because he hopes that the state authorities will dismiss his charges. Individual 1 was not entirely forthcoming during his first interview with law enforcement; however, he has since been more forthcoming and I believe his information is reliable.

18. After reviewing IRC chat logs, law enforcement identified a number of conversations where participants on the IRC channel were coordinating and conducting swatting calls. On multiple occasions Co-Conspirator 1 asked the participants to identify new swatting targets, as detailed in the below conversation.

[16:05] <Co-Conspirator 1> find another target

[16:05] <Co-Conspirator 1> find another target

[16:05] <Co-Conspirator 1> find another target

[16:08] <~Zim> who did you swat

[16:11] <~GLITCH> niggers

[16:11] <Co-Conspirator 1> nothing yet

[16:11] <Co-Conspirator 1> ive got a target though

[16:11] <Co-Conspirator 1> <https://www.youtube.com/watch?v=SUSrYUd-j30>

[16:11] <Co-Conspirator 1> vape store

19. Based on my training, experience, and knowledge of this investigation, I believe Co-Conspirator 1 is making a request of everyone on the Deadnet IRC to identify a target to conduct swatting calls against. The group's neo-Nazi ideology is apparent in the racial tones throughout the conversation logs. Prior to this conversation, KELLEY left the IRC channel and did not see the request from Co-Conspirator 1 to identify swatting targets.

20. KELLEY returned to the Graveyard channel nearly two hours after Co-Conspirator 1 requested new targets and without prompting provided a live streaming video feed to target for swatting calls.

[18:02] <[04~carl]> back

[18:02] <[04~carl]> got new flavors

[18:02] <+saevyl> hey carl [Co-Conspirator 1] is swatting

[18:02] <[04~carl]> for my dragon dick

[18:02] <[04~carl]> for real?

[18:02] <+saevyl> yep

[18:02] <[04~carl]> is he in mumble

[18:02] <[04~carl]> loldongs

[18:02] <+saevyl> just "shot his gf with an ar15"

[18:02] <+saevyl> <https://www.youtube.com/watch?v=HPD05-KwZbI>

[18:02] <[04~carl]> fucing legend

[18:02] <[04~carl]> what mumble

[18:02] <Co-Conspirator 1> just told them to get back

[18:03] <Co-Conspirator 1> or else i kill the kids

[18:03] <[04~carl]> what

[18:03] <[04~carl]> mumbleR

[18:03] <[04~carl]> mumble

[18:03] <Co-Conspirator 1> im not in one rn

[18:03] <[04~carl]> OOF

[18:03] <+saevyl> can I stream mumble through vlc?

[18:03] <&zheme> hey carl

[18:03] <+saevyl> does it work like that?

[18:03] < 04~carl> get in mumble, it will be funnier

[18:03] < 04~carl> sup zheme

[18:03] <& zheme > what falvor

[18:03] <& zheme > for ur vape

[18:03] < 04~carl> uhh

[18:03] < 04~carl> give me a min

[18:04] <Co-Conspirator 1> ambulance loldongs

[18:05] < 04~carl> <https://www.youtube.com/watch?v=pQuZfOaczgw>

[18:05] < 04~carl> next target

21. Based on my training, experience, and knowledge of this investigation, I believe KELLEY provided a YouTube link above and identified the link as the next swatting target. It is important to note KELLEY was not present for the request from Co-Conspirator 1 to identify targets. Instead, it appears that KELLEY made the effort to search YouTube, identify the target, and then offer it to his co-conspirators without prompting.

22. As the swatting call progressed, the group struggled to provide live audio of the swatting call. KELLEY offered to help troubleshoot the issue. Once the audio was restored, KELLEY asked if it was too early to record the call without being detected.

[19:09] <~Co-Conspirator 1> can u hear the beep

[19:09] <~Zim> heard a beep

[19:09] <@wil_> mumble address?

[19:09] <~Zim> ye

[19:09] <@wil_> cam?

[19:09] <~ Co-Conspirator 1> okay finally

[19:09] <~ Co-Conspirator 1> it was windows

[19:09] <~Zim> loldongs

[19:09] <~ Co-Conspirator 1> privacy settings

[19:10] <~Zim> what is the beep

[19:10] <~ Co-Conspirator 1> phone line

[19:10] <@ 04~carl> ah

[19:10] <~ Co-Conspirator 1> he'll talk soon

[19:10] <@ 04~carl> thought it was my song

[19:10] <~Zim> hi dave

[19:10] <@ 04~carl> WERE HERE TO HELP YOU

[19:10] <~Zim> dave is a professional negotiator

[19:10] <@ 04~carl> can I start recording

[19:10] <@ 04~carl> or will it pick that up

[19:10] <~Zim> do it

[19:10] <~Zim> "as long as needed"

[19:11] <~ Co-Conspirator 1> record

[19:11] <@ 04~carl> im going

23. Based on my training, experience, and knowledge of the investigation, the co-

conspirators are struggling with technical issues while attempting to share the audio of the swatting call. KELLEY in bold letters reaffirms that the co-conspirators on the call are all willing to help Co-Conspirator 1, who is the voice of the swatting call. KELLEY continued to engage by recording the call. This is significant because the calls are often posted online for others to view. Thus, creating a following for the swatting calls and helping to promote the group's neo-Nazi agenda.

24. After the swatting call ended, KELLEY offered another target for the following day. KELLEY offered Old Dominion University ("ODU"), which was the college he was attending, as a potential target to call. ODU is located in Norfolk, Virginia, which is within the Eastern District of Virginia. Co-Conspirator 1 asked for KELLEY's edu email in order to establish a Facebook account.

[20:02] <[redacted] 04~carl> do my college tomorrow

[20:04] <~ Co-Conspirator 1> maybe

[20:04] <~ Co-Conspirator 1> carl

[20:04] <&zheme> sam woodwards hearing is on the 9th

[20:04] <~ Co-Conspirator 1> do u know the login for the edu email u have

[20:06] <[redacted] 04~carl> yeah

[20:06] <[redacted] 04~carl> its in my old dm

[20:06] <[redacted] 04~carl> 1sec

[20:06] <~ Co-Conspirator 1> use it to make a facebook account

[20:06] <~ Co-Conspirator 1> then send me the login for the fb account

[20:06] <~ Co-Conspirator 1> so i can dox younow

[20:07] <[redacted] 04~carl> can you just uh

[20:07] <[redacted] 04~carl> use a temp email

[20:07] <04~carl> use mine

[20:07] <~ Co-Conspirator 1> no

[20:08] <@wil> who tf is younow

[20:08] <04~carl> why do you need an edu

[20:08] <~ Co-Conspirator 1> because it will pass sms verification

[20:08] <04~carl> oh alright

25. Based on my training, experience, and knowledge of the investigation, KELLEY is offering his college, ODU, as a swatting target. The following conversation and requests from Co-Conspirator 1 focus on making the swatting call allowing for anonymity. Additionally, “zheme” reminds the co-conspirators about a court hearing in the Sam Woodward murder case. Law enforcement believe Sam Woodward is associated with Atomwaffen Division, which is an extremist neo-Nazi group. Investigators believe Sam Woodward’s anti-Semitic views, in part, motivated him to commit murder. KELLEY and other co-conspirators are affiliated with or have expressed sympathy for Atomwaffen Division.

26. On November 6, 2018, KELLEY reminded participants on the IRC channel about swatting his college tomorrow in order to avoid class.

[04:43] <04~carl> fucking lmaoooooooo

[04:43] <02~slimebox> fer reals

[04:43] <02~slimebox> they are pist

[04:43] <02~slimebox> 92 91 90

[04:43] <+Zim_> Yeah they are

[04:43] <04~carl> good job [Co-Conspirator 1]

[04:43] <+Zim_> angry

[04:43] <\ 02~slimebox\> he dun it hard

[04:44] <\ 04~carl\> https://my.mixtape.moe/hrtzps.png

[04:44] <\ 04~carl\> hopefully we get a better crew next time

[04:44] <\ 02~slimebox\> whole town shut down, the citizens all shook an
scurr'd now

[04:44] <\ 04~carl\> this was the best by far tho

[04:44] <\ 04~carl\> AHAHHAHAHHA

[04:44] <+Zim_> This was hilarious yeah

[04:44] <\ 04~carl\> norfolk next, I dont want to goto class on wed

[04:44] <\ 02~slimebox\> ok saving it

27. Based on my training, experience, and knowledge of the investigation, KELLEY is reminding the co-conspirators about his college as a future swatting target. The conversation about the swatting event is related to the call made on November 4, 2019, to a vape shop in New Hope, Pennsylvania. In response to that swatting call, local law enforcement issued a shelter in place for the small community.

28. On or about November 29, 2018, at approximately 2:08 a.m., ODUPD received a phone call from a blocked number. The caller stated they were armed with an AR-15 and had placed multiple pipe bombs within the campus buildings. The caller disconnected the first call with ODUPD and called back at 2:26 a.m.

29. At approximately 4:56 a.m., ODUPD received a phone call from (XXX) XXX-0622. During the call, the individual apologized for making an accidental phone call. The dispatcher then

contacted the investigating officer about this phone call. ODUPD compared the voice in the threatening phone call to the call received at 4:56 a.m. and determined that the two calls were likely made by the same individual. ODUPD identified the caller as KELLEY using school records provided by KELLEY, which listed his phone number.

C. **Interview of John Kelley**

30. On or about November 28, 2019, ODUPD located and interviewed KELLEY. After being advised of his *Miranda* rights and waiving those rights, law enforcement interviewed KELLEY. KELLEY admitted that he dialed the campus police phone number; however, KELLEY stated he placed the call by accident. KELLEY also stated that he was a cyber-security major at ODU.

31. When ODUPD asked KELLEY whether he was involved in the threatening call earlier that day, KELLEY stated: "I have been around for calls in the past." KELLEY later discussed his time spent reviewing swatting calls and videos on YouTube and Twitter. When the officers attempted to ask follow-up questions about KELLEY's past involvement in swatting, KELLEY requested an attorney.

32. During the interview, KELLEY provided consent to search his cellular devices, which included a white Apple iPhone and a black Blu phone. KELLEY also provided consent to search his dorm room, which was located on campus. During the search of KELLEY's room, law enforcement located a laptop and multiple electronic storage devices. Law enforcement also located a prescription bottle of quetiapine. When questioned, KELLEY stated the bottle belonged to him, but that he was no longer taking the medication. This is significant because the caller during the bomb threat phone call stated he was prescribed an anti-psychotic known as "quetiapine," commonly

known as Seroquel. By way of background, Seroquel is commonly prescribed to treat schizophrenia, bipolar disorder, and depression.

D. IP Addresses Used for the ODU Swatting Call Link it to the Broader Swatting Conspiracy

33. After the aforementioned bomb threat was called in to ODUPD on November 29, 2018, and the subsequent phone call by KELLEY at approximately 4:56 a.m., ODUPD made an exigent request of Verizon to identify the phone number used to make the bomb threat. Verizon informed ODUPD the service provider was Cox Communications. Cox Communications provided the phone number and associated IP of the calls:

- a. 2:08 - 7607058888 IP 69.252.226.123:5060; and
- b. 2:26 - 7607058888 IP 69.241.14.218:5060.

34. Both IP addresses were searched through whois.domaintools.net and returned to Comcast. Comcast informed ODUPD the phone numbers were associated with Bandwidth.com and the phone calls in question merely passed through their servers and did not originate there. Bandwidth.com informed ODUPD the phone number in question belonged to Google. Google informed law enforcement the two phone calls were placed by the Google subscriber over VoIP at 2:08 a.m. and 2:26 a.m. to 7576834000. The Google Subscriber information provided as follows:

- a. Name: Bob Smitters
- b. Email: kaseybaby99.s@gmail.com

35. The email address is significant because it follows a pattern of other email addresses used to conduct swatting events. Examples of the other email addresses are kaseykaykayxo0@gmail.com, kaseyxo2001xo@gmail.com, and jhullxo1000@gmail.com. The

email addresses were used to make swatting calls through Google Voice and are linked to the group by IP addresses used.

36. On December 4, 2018, at approximately 7:03 a.m., ODUPD received another phone call from a blocked number on their non-emergency line. During the call, the caller stated he was located in the Webb Center and that he was in possession of a 9mm Glock and was going to shoot everyone in the building. The caller either played a prerecorded swatting or played excerpts from the prior swatting call made to ODU on November 28, 2018.

E. KELLEY's Continued Activities in Furtherance of the Conspiracy

37. On December 5, 2019, the logs from the Deadnet IRC show co-conspirators discussing KELLEY's contact with law enforcement.

[02:48] <+saevyl> what happened to carl

[02:48] <+saevyl> did he sleep

[02:48] <! 02~slimebox!> you guys ratted him out on the swat

[02:48] <! 02~slimebox!> he got busted

[02:49] <~> BATTERING RAM

[02:49] <~> HJOLY FUCK ITS GONNA GET REAL

[02:49] <! 02~slimebox!> shit got seized

[02:49] <~> <https://www.youtube.com/watch?reload=9&v=9OH8iRbXEqk> <--
cam

[02:49] <! 02~slimebox!> hope you guys ar happy

[02:49] <! 02~slimebox!> sell out ur own friend

[02:49] <! 02~slimebox!> :/

[02:49] <02~slimebox> all he ever did was be nice to you

[02:49] <02~slimebox> and this is how you repay him

[02:50] <02~slimebox> he probby never getting his stuff bacvk

[02:50] <02~slimebox> :(

[02:51] <+saevyl> they goin in

[02:52] <02~slimebox> u guys still dont even car

Break in IRC Included

[03:05] <~> he burnt himself

[03:05] <~slimebox> assfags

[03:05] <~> and we care

[03:05] <~slimebox> not what he says

[03:05] <~slimebox> he says u ratted him

[03:05] <~slimebox> he took the fall

[03:06] <~slimebox> and i believ him

[03:06] <~> >ratted

[03:06] <~slimebox> feel sad for u guys

[03:06] <~slimebox> if ur guys

[03:06] <~slimebox> check to see if u got any balls still

[03:06] <~slimebox> :P

[03:06] -irc.superjail.org- *** umode q: <~> tried to kick you from channel

#graveyard (:P)

[03:06] <~Co-Conspirator 2²> loldongs

[03:06] * ~slimebox grieves for carl

[03:06] <~slimebox> :(

[03:06] <~ Co-Conspirator 2> your being a massive faggot

[03:06] <~ ♀> slimebox are you a bint

[03:06] * ~slimebox gets a teardrop fag tat for fallen carl

[03:07] <~slimebox> k im done

[03:07] <~ Co-Conspirator 2> Carl fucked himself over

[03:07] * ~slimebox sets mode: -asshole slimebox

[03:07] <+saevyl> how so [Co-Conspirator 2]?

[03:07] <~slimebox> i apologize

[03:07] <+saevyl> hes doing fine

[03:07] <+saevyl> aside from the bugged apartment

[03:07] <~slimebox> he moved into a refrigerator box

[03:07] <~ Co-Conspirator 2> he called the campus police

[03:07] <~ Co-Conspirator 2> not me

[03:07] <~ Co-Conspirator 2> or [Co-Conspirator 1]

[03:08] <~slimebox> his toilet is a paint can

[03:08] <~slimebox> but ya hes ok

[03:08] <~slimebox> he steals mcdonalds wifi for internet now

2 “Co-Conspirator 2” was not the actual moniker; rather, I have changed the moniker in an effort to protect the ongoing investigation.

[03:08] <~ Co-Conspirator 2> you just said we ratted on carl

38. Based on my training, experience, and knowledge of the investigation, I believe the co-conspirators are discussing KELLEY's contact with law enforcement after the ODU swatting took place. One of the co-conspirators "slimebox" is accusing the others in the group of ratting out KELLEY. The response from Co-Conspirator 2 summarizes the view of the co-conspirators when he said "Carl fucked himself over." I believe this refers to KELLEY's call to ODUPD after the swatting call. When KELLEY placed this call, he did so without obscuring his identity through the Google Voice account.

39. On December 5, 2018, KELLEY re-entered the Deadnet IRC. KELLEY sought advice from Co-Conspirator 1 on moving the server and using VPNs in the Netherlands for operational security. Within a few hours, KELLEY was working to identify new swatting targets for his co-conspirators.

[03:36] <~carl> slimebox: stop feeding niggas fake info

[03:37] <~✿> ban him

[03:37] <+saevyl> carl

[03:38] <+saevyl> I understand everything now

[03:38] <+saevyl> Lion is the final boss of the feds

[03:38] <+saevyl> He's the fed puppet master

[03:38] <+saevyl> it's the ultimate twist

[03:39] <+saevyl> I guess that's them extracting them

[03:42] <~carl> lmaoo

[03:42] <~carl> that's why his opsec is so good

[03:43] <+saevyl> You kill all of the feds in the lower levels of the pentagon

[03:43] <+saevyl> you take the elevator back up to the war room

[03:43] <+saevyl> you know the one from Doctor Strangelove

[03:43] <~carl> never watched it

[03:43] <+saevyl> nigger what

[03:43] <~carl> [Co-Conspirator 1]

[03:43] <~carl> is .nl a good country for vpns and shit

[03:43] <+saevyl> its 70 years old how have you never seen it

[03:43] <~carl> thinking of dumping this server and getting one there

[03:44] <~carl> because im gay

Break in IRC Included

[07:48] <~carl> mornin

[07:48] <~carl> slimebox: what u up to

[07:56] <~Swatted✓> carl

[08:02] <~carl> sup

[08:03] <~carl> Swatted✓:

[08:03] <~Swatted✓> i need a cam

[08:03] <~Swatted✓> help me find a target carl

[08:04] <~carl> kk

[08:04] <~carl> u ever look into that shodan livemap?

[08:04] <~carl> thought it was a bundle of shit tbh

40. Based on my training, experience, and knowledge of the investigation, I believe KELLEY returned to the Deadnet IRC for the first time since his contact with ODUPD following the swatting call. KELLEY's first communication with Co-Conspirator 1 is to determine a country that provides greater anonymity online. KELLEY specifically asked if the Netherlands would be a good place for a virtual private network to obscure his true identity. Later in the same conversation, KELLEY engaged in a conversation about identifying live video feeds to target. Shodan, a website showing unsecured video feeds was specifically mentioned. I also note that the co-conspirators continue to use demeaning racial language.

41. On or about December 10, 2018, the co-conspirators on the Deadnet IRC harassed KELLEY for swatting ODU.

[18:12] <~Zim> First step, DON'T BOMB THREAT YOUR OWN SCHOOL

[18:12] <~Zim> you hear that carl

[18:12] <~Zim> >:(

[18:13] <+  _> carl u dummy

[18:13] <@zovix> carl

[18:13] * +Boruvkov has quit IRC (Read error)

[18:14] <~ Co-Conspirator 2> Rule #1 If you call in a bomb threat to your own school, make sure you tell the school it was you.

42. Based on my training, experience, and knowledge of the investigation, I believe the co-conspirators are harassing KELLEY because he identified his own university as a swatting target.

F. Expert Linguistics Analysis Conducted on the ODU Threat Calls, Kelley's Accidental Call, and Law Enforcement Interviews

43. ODUPD asked an ODU linguistics professor to conduct an analysis of the caller's voice in the bomb threat call, KELLEY's follow-up call, and the active shooter call. An ODU linguistics professor compared the three phone calls with the law enforcement interviews of KELLEY and another individual, who is KELLEY's friend, to determine if either individual's voice characteristics matched the voice characteristics of the threat calls.

44. The professor produced a 43-page report detailing her findings of the quantitative and qualitative measurements. Based on acoustic analysis of vowel formants and quantitative analysis of pitch data as well as qualitative analysis of consonants from select tokens taken from spectrogram data, the professor determined the following:

- ODU Bomb Threat Calls and the Webb Threat Call contain the same voice;
- KELLEY's voice is a match with the Threat Calls; and
- The individual, who is KELLEY's friend, is ruled out, i.e. is not a match.

45. The United States Secret Service ("USSS") independently compiled a conglomeration of voice recordings from various threat calls made to law enforcement, which are believed to be part of the broader conspiracy. The USSS Forensics Services Division ("FSD") conducted a limited cursory analysis with an automatic speaker recognition system test. FSD supplied a four-page cursory report concluding the amount of speech contained in all of the recordings was less than the optimal amount for comparison by the automatic system, which could affect the reliability of the report. FSD concluded KELLEY's voice is not a match for any of the threat calls made to law enforcement in this case, including the calls to ODU.

46. Based on the linguistic subject matter expertise of the ODU professor and the fact the USSS report stated its results could be unreliable, I submit the ODU professor's conclusions are more reliable.

G. Forensic Review of Kelley's Devices

47. On November 28, 2019, KELLEY provided consent to search his dorm room. Within his dorm room were numerous computers and electronic storage devices. ODUPD obtained a search warrant on November 30, 2019, for the devices seized in the dorm room. The FBI was asked to assist in the forensic search of the electronic devices.

48. A forensic review of an iPhone seized from KELLEY at the time of his interview on November 28, 2018, was conducted. A photo of tactical gear including a ballistic vest and plates along with a ballistic helmet are staged in a photo with a license plate. Law enforcement know that this photo was in possession of Jeffrey Clark, who was arrested on gun charges and was an associate of Robert Bowers. Bowers is currently indicted for his role in murdering and injuring Jewish individuals who were engaged in religious worship at the Tree of Life Synagogue in Pittsburgh, Pennsylvania. Law enforcement also located multiple photos, in which KELLEY and other individuals are dressed in tactical gear holding assault style rifles. The faces of some individuals are concealed by masks and tactical helmets. There were photos of bumper stickers glorifying school shootings, and recruiting material for Seige and Atomwafen, which are white supremacist groups. There are also photographs on the device of hand guns and assault style rifles displayed on tables. Some of the weapons appear to be authentic and others appear to be life like replicas.

49. A forensic review was also conducted on a black Staples thumb drive seized on November 28, 2018. During this search, ODUPD identified multiple documents that logged the

statements made on the Deadnet IRC channel. Review of these documents show countless examples of swatting activity over an extended period of time.

50. A forensic review was also conducted on a blue Staples thumb drive seized on November 28, 2019. During the review, law enforcement identified a group of videos that KELLEY created, which document KELLEY and other co-conspirators swatting a barber shop. KELLEY recorded the live video feed of the barber shop with the ongoing Deadnet IRC conversation over the video. As the conversation progressed, it appears law enforcement was not responding. A request for new targets was then made by Co-Conspirator 2. During the conversation, KELLEY offered two potential targets to swat. KELLEY described one of the individuals as a juvenile in Texas and the other individual as an adult in Michigan. KELLEY provided addresses for both and phone numbers for one of the targets.

51. In another video, Co-Conspirator 2 and KELLEY are looking at live video feeds on the website younow.com for individuals to target. KELLEY attempted to identify the college of the individual live streaming from Florida to conduct a swatting call against the individual.

52. In another video, KELLEY transitioned to stream.me and identified “cyberdemon531”, a gamer live streaming her activity, as a swatting target. KELLEY navigated on his computer to a web browser to do research and identify “cyberdemon531.” Other videos that KELLEY made show the female “cyberdemon531” leaving her live video stream and returning after an extended period of time. When she returned she confirmed to her live video feed followers that she was swatted.

53. As KELLEY navigated through his computer while recording the swatting videos numerous identifying items could be seen. KELLEY was logged into his ODU email. A tab on

KELLEY's web browser was logged into his ODU blackboard account. KELLEY was in the process of completing a survey for one of his classes referred to in his ODU email visible on the video. KELLEY logged into his accounts as the video was recording.

H. Additional Swatting Calls in the Eastern District of Virginia that are Connected to this Conspiracy

54. On or about November 3, 2018, the Alexandria Police Department ("APD") responded to a bomb threat made against Alfred Street Baptist Church, which is located in Alexandria, Virginia, within the Eastern District of Virginia.

55. On November 3, 2018, at approximately, 7:02 p.m., a caller used a blocked phone number to contact the Department of Emergency Communications (DEC) non-emergency administrative line. The caller identified himself as "George" and advised he placed three pipe bombs at the Alfred Street Baptist Church and was going to "blow it up." The caller stated the word "shooting" and that the caller was going to kill everyone at the church. Additionally, the caller advised he had control over the bombs and would not specify their location. The call taker from APD determined the caller sounded muffled and out of breath during the conversation. The call taker also advised it sounded like a middle age, white male with a Hispanic accent.

56. APD responded to Alfred Street Baptist Church and set up a perimeter, evacuated its occupants, and used K9 units to sweep the interior and exterior of the building. The explosive sweep produced negative results and APD cleared the scene. After determining this was a false bomb threat, APD opened an investigation.

57. During the course of the investigation, APD obtained records from Verizon indicating phone number XXX-XXX-8888 called DEC at 7:02 p.m. on November 3, 2018. According to a law

enforcement database, this number returns to Bandwidth. Further investigation revealed the telephone number is a VoIP number and all subscriber information would be available through the wholesale customer, Google Inc.

58. Google informed APD the Google email account kaseybaby99.s@gmail.com made the VoIP call to DEC. This is the same email address used to make the swatting call against ODU.

59. On January 27, 2019, at approximately 2:44 a.m., an individual called the APD non-emergency line and provided an address belonging to a USSS protectee. The caller stated he had an AR-15, shot and killed his girlfriend, had her two children tied up in the laundry room and he would kill them if he did not speak to the hostage negotiator, and that he had a pipe bomb that he would detonate. The caller's voice is muffled and sounds as if he is out of breath.

60. During the course of the investigation, APD obtained records from Verizon indicating phone number XXX-XXX-8888 called DEC at 2:44 a.m. on January 27, 2019. According to a law enforcement database, this number returns to Bandwidth. Further investigation revealed the telephone number is a VoIP number and all subscriber information would be available through the wholesale customer, Google Inc.

61. Google informed APD the Google email account jhullxo1000@gmail.com made the VoIP call to DEC.

62. IP addresses accessing kaseybaby99.s@gmail.com and jhullxo@gmail.com also accessed personal email accounts shown to pay for the dark web server supporting the hidden service DoxBin. During the time of the Alfred Street Baptist Church swatting call, Co-Conspirator 1 was logged into the kaseybaby99.s@gmail.com account using IP Address 46.246.12.44. Co-Conspirator 1 was also logged into the Deadnet IRC channel using the same IP address.

63. Based on my training and experience, IP addresses are a unique identifier of internet access point at a point in time. Co-Conspirator 1 using the same IP address on two sites at the same point in time confirms he was the voice on the Alfred Street Church swatting. During interviews with a co-conspirator, the co-conspirator confirmed he selected the Alfred Street Church because it was an African America church. The co-conspirator explained that he and the other co-conspirators are white supremacists and are sympathetic to the neo-Nazi movement. This co-conspirator confirmed that Co-Conspirator 1 was the voice on the call. The same Google Voice number XXX-XXX-8888 was used to place all the swatting calls identified in this affidavit. The email accounts used to make the calls had passwords limiting who would be able to access the accounts.

64. The below table shows additional calls made in the Eastern District of Virginia and internationally. The calls from 33 days are primarily from November and December of 2018 and impact 134 different law enforcement agencies. Law enforcement believe the co-conspirators are connected with other swatting calls and the below list purposefully omits some of the calls.

Agency	State/Prov	Agency	State/Prov
Banff RCMP	AB	Fort Lee PD	NJ
Edmonton PD	AB	Manasquan PD	NJ
Lethbridge PD	AB	Montclair	NJ
Florence PD	AL	Monmouth County SO	NJ
Gulf Shores PD	AL	Albuquerque PD	NM
Kamloops RCMP	BC	Las Vegas Metro PD/SO	NV
Anaheim PD	CA	Little Valley SO	NY
El Cajon PD	CA	NYPD	NY
Hesperia PD	CA	Onondaga County SO	NY
Los Angeles PD	CA	Sag Harbor PD	NY
Los Angeles SD	CA	Schenectady PD	NY
Murrieta PD	CA	Southampton PD	NY
Palo Alto PD	CA	Suffolk County SO	NY
Richmond PD	CA	Syracuse City PD	NY

Agency	State/Prov	Agency	State/Prov
Sacramento County SO	CA	Yorkville Village PD	NY
San Bernardino Ca	CA	Cincinnati PD	OH
San Bernardino SO	CA	Cleveland PD	OH
San Francisco PD	CA	Columbus PD	OH
San Jose PD	CA	Dayton PD	OH
Santa Clara REACT TF	CA	Deshler PD	OH
Santa Rosa PD	CA	Fairborn PD	OH
Denver PD	CO	Henry County SO	OH
Boca Raton PD	FL	Hilliard City PD	OH
Deltona PD	FL	Marion PD	OH
Ft. Myers PD	FL	North Kingsville PD	OH
Jackson Beach PD	FL	Norwalk PD	OH
Key West Fire	FL	Warren PD	OH
Miami Beach PD	FL	Zanesville PD	OH
Oakland Park PD	FL	Oklahoma City FAA	OK
Orlando PD	FL	Oklahoma City PD	OK
Sanford PD	FL	Bancroft PD	ON
Stuart PD	FL	Grand Sudbury PD	ON
Volusa County SO	FL	Ontario Prov. Police	ON
Americus PD	GA	Toronto PD	ON
Atlanta PD	GA	Ashland PD	OR
Dekalb County SO	GA	Bend PD	OR
Douglasville PD	GA	Eugene PD	OR
Eatonton PD	GA	Malheur County SO	OR
Fulton County DMH	GA	Portland PD	OR
Lithonia PD	GA	Borough of Kutztown PD	PA
Honolulu PD	HI	Bristol Township PD	PA
Lewiston PD	ID	New Hope PD	PA
Chicago PD	IL	Stroudsburg PD	PA
Elmhurst PD	IL	Tobyhanna Township PD	PA
Hinsdale PD	IL	Montreal PD	QB
Mills County SO	IL	Quebec City PD	QC
Angola PD	IN	Sioux Falls PD	SD
Crawford PD	IN	Sturgis PD	SD

Agency	State/Prov	Agency	State/Prov
Kansas City Police	KS	Arlington PD	TX
Cadiz PD	KY	Hardin County PD	TX
Barnstable PD	MA	Harris County SO	TX
Fenton PD	MI	Houston PD	TX
Prince George	MD	Pflugerville PD	TX
Jackson PD	MI	San Antonio PD	TX
Linden PD	MI	Summit County SO	UT
Livingston County SO	MI	Alexandria PD	VA
Muskegon County SO	MI	Chesapeake PD	VA
Oakland County SO	MI	Henrico SO	VA
Ottawa County SO	MI	Norfolk PD	VA
Trenton PD	MI	Old Dominion Univ PD	VA
Village of Fruitport PD	MI	Seattle PD	WA
Zeeland Fire	MI	Middleton PD	WI
Grand Rapids PD	MN	Pleasant Prairie PD	WI
St. Louis Metro PD	MO	Marion County SO	WV
Codiac RCMP	NB	Laramie PD	WY
Boone Fire	NC		
Charlotte-Mecklenburg	NC		
Grand Island PD	NE		
Conway PD	NH		

I. KELLEY Charged with Drug –Related Offenses

65. On or about January 31, 2019, ODUPD responded to KELLEY’s residence because they received a report that “shrooms” were present in the room. KELLEY was present when law enforcement arrived. When presented with the bag of “shrooms,” provided to ODUPD by KELLEY’s roommate, KELLEY was initially evasive, but later admitted the “shrooms” belonged to him. Police made entry into the room and KELLEY was asked if there was anything else in the room. KELLEY informed law enforcement there were additional drugs in his room, including a

cactus plant used for extracting and ingesting mescaline and a bag containing three tabs suspected of containing Lysergic acid diethylamide (LSD). ODUPD then arrested KELLEY on state drug charges. After being charged, ODU expelled KELLEY from its campus.

66. In the IRC chat logs found on KELLEY's seized devices, KELLEY frequently discussed his usage of illegal substances. KELLEY also maintained pictures of illegal drugs consistent with the substances seized by ODUPD.

Conclusion

67. Based on the facts set forth above, I submit there is probable cause to believe that, JOHN WILLIAM KIRBY KELLEY, did unlawfully, knowingly, and willfully, combine, conspire, confederate, and agree with persons known and unknown to commit an offense against the United States, that is, to transmit in interstate commerce communications containing threats to injury the person of another, and that KELLEY or others did an act to effect the object of said conspiracy, in violation of Title 18, United States Code, Section 875(c), all in violation of Title 18, United States Code Section 371.



Jonathan Myles Lund
Special Agent
Federal Bureau of Investigation

Sworn and subscribed to before me this 8 day of January, 2020.



/s/
Theresa Carroll Buchanan
United States Magistrate Judge

The Honorable Theresa Carroll Buchanan
United States Magistrate Judge